REMARKS

Claims 13 - 23 are in this application and are presented for consideration. By this Amendment, Applicant has canceled original claims 1 - 12 in favor of the new claims. New independent claims 13, 17 and 20 highlight the structure according to the invention for fixing the cam rail to a machine part with at least one grooved rail using a parallelogram like sliding block structure (the term parallelogram is intended to mean a parallelogram like structure which forms the shape of a sliding block). This sliding block structure fixes the undercut groove. The narrower insertion area and a wider groove base. A blocking member is connected to the sliding block and the blocking member has a stop face abutting a cam rail for fixing the cam rail at the grooved rail.

Claims 1 - 4 and 7 - 10 have been rejected as anticipated by Marinoni (U.S. 4,881,296). Claims 5, 6, 11 and 12 have been rejected as being obvious based on Marinoni in view of Ishikawa et al. (U.S. 6,438,913).

The new revised claims include a combination of features which are not suggested by the prior art as a whole. New claim 13 pertains to a clamping element for fixing a cam rail at a machine part with at least one groove rail. New claim 17 presents a device for fixing a cam rail to a machine part having a grooved rail and new claim 20 relates to the arrangement for fixing the cam rail to a machine part having a grooved rail.

The Marinoni reference and the Ishikawa reference disclose clamping elements of a different type. Marinoni relates to a variable suspension or variable mounting of a door or a window. Ishikawa relates to a glazing panel for a wall system.

The unrelated nature of the two references is significant with regard to the obviousness rejection. There must not only be a teaching or suggestion of the various structural elements but these elements must be arranged as claimed or there must be a suggestion in the references to motivate the person of ordinary skill in the art to depart from the door mounting of Marinoni for example or depart from the glazing panel wall system of Ishikawa and provide a clamp for a machine part and cam rail as claimed. It is Applicant's position that the references fail to suggest a departure from the teachings of the references and fail to direct the person of ordinary skill in the art toward the invention. The subject matter of the references are remote from the subject of the present application. As such, the person of ordinary skill in the art is not provided with a basis or incentive to go into the glazing panel field or the door window suspension field in order to find a solution to a machine part clamping issue. Further, the invention as claimed includes features which are not suggested by the prior art. There is no suggestion to provide a structure for fixing a cam rail in a machine part based on a groove rail of the machine part.

Marinoni and Ishikawa each disclose a groove rail structure with undercut grooves. With Marinoni the groove rail has a parallelogram like cross-section with this structure introduced into the undercut groove. According to Marinoni the hinge part 16 of a door hinge 18 is screwed in with a screw 22, such that the hinge part 16 as well as the sliding block 8 can be braced against each other and against the walls of the groove rail and can thus be fixed. According to Ishikawa, respective clips 10 and 23 which can hold a cover are inserted into the groove rails. The clips 10, 23 are not specifically fixed in the groove rail itself. A fixing

displacement in the axial direction is also unnecessary as the position relative to the extension of the rail and also of the cover 12 may be selected largely as desired. They are only held in a frictionally engaged manner in a certain way. However, these are displaceable by applying a weak force. This is necessary to ensure that the position can be selected.

The references as a whole fail to teach and fail to suggest a blocking element connected to a sliding block with a blocking element having a stop face or stock face which is in contact with a cam rail to fix the cam rail at the at least one rail. Claim 13 includes this block member to cam rail engaging structure and clarifies that the stop or stock face abuts the cam rail and fixes the cam rail at the groove rail, based on the sliding block being inserted in the groove base. Claim 17 includes similar language. Claim 20 highlights the structure both with regard to an engagement face and a stop face (the stock face) wherein these cooperate with faces of the cam rail to provide the fixing in combination with the sliding block being fixed in the groove. The combination of structural features is neither taught nor suggested by the prior art.

The invention provides the solution which is particular to the machine part clamping system field wherein a cam rail is arranged in a desired secured position at the machine part, namely the machine part provided with the groove rail. This structure allows a switching operation to be triggered because of the cams of the cam rail at a machine part moving over it and for a stop of a cam at the cam rail. With the invention there is a secure fixing of the cam rail at the groove rail. Even so the position relative to the groove rail can be adjustable in order to make it possible to set a desired second or further position and to again securely fix the cam rail at this subsequent position.

The function and purpose are not considerations according to the prior art references. There is no suggestion of providing a clamping structure to obtain this result. As such, the combination claimed is both novel and unobvious. The references fail to direct the person of ordinary skill in the art toward the invention. Certainly the references do not understand or appreciate the problem which is being addressed by Applicant's combination of features. As such, the prior art presents no motivation or incentive to combine the features as claimed.

With regard to the rejection it is noted that the discussion in Marinoni at the bottom of page 2 and the top of page 3 of the Office Action makes reference to the blocking member 16 being connected to the sliding block. However, block 16 is not a blocking member that would have to block any other part. Specifically, the blocking structure of the invention cooperates with a cam rail, namely it blocks this part. Further, with Marinoni it is stated that the part 16 has a stop face for a cam rail. However, there is no suggestion of such a cam rail in combination with a block element in Marinoni. No structure has been identified and no structure is shown in Marinoni.

With regard to Ishikawa, the reference also does not have a blocking member. Further there is no groove rail in the blocking member. Consequently Ishikawa also fails to teach a groove rail for a blocking member. Further, the rejection is not clear as to Ishikawa and what part may be considered a cam rail. With regard to column 5, line 4 - 15 of Ishikawa the passage only shows that the cover plates are held at the groove rail by means of clips 10, 23.

The rejection includes the conflict with regard to a blocking member having a stop face for a cam rail as mentioned at the top of page 3 in the rejection. However at lines 8 and 7 at

the bottom of page 3 it is mentioned that Marinoni does not disclose a blocking member for the stop face for cam rail.

It is Applicant's position that Applicant has now clarified the combination of features which is neither taught nor suggested by the prior art. Accordingly, Applicant respectfully requests that the Examiner reconsider the rejection in view of the new claims.

Respectfully submitted
for Applicant,

By: _____
John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM:jj/tf
70436.6

DATED: July 21, 2003
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.